

**AGENDA**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, NOVEMBER 21, 2006**  
**COUNTY COMMISSIONERS HEARING ROOM, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**9:30 A.M.**

*Location Announcement of Nebraska Open Meetings Act: A copy of the Nebraska Open Meetings Act is located on the wall at the rear of the Hearing Room.*

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, November 14, 2006. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.lancaster.ne.gov>).
- 2) **CLAIMS:** Approval of all claims processed through Tuesday, November 21, 2006.
- 3) **PUBLIC HEARINGS:**
  - A. Continuation of a public hearing regarding a catering application in connection with a Class Y liquor license from James Arthur Vineyards LLC d/b/a James Arthur Vineyards located at 2001 West Raymond Road, Raymond, Lancaster County, Nebraska. (See New Business Item 5A for correlating resolution.)
- 4) **OLD BUSINESS:**
  - A. Full release and assignment to the Hartford Fire Insurance Company on Bond/Policy No. 91 BPE AN5868 regarding a \$1,000 loss suffered September 28, 2006. (C-06-0621)
- 5) **NEW BUSINESS:**
  - A. A resolution in the matter of an application for a Class KY (Catering/Farm Winery) liquor license in connection with a Class Y (Farm Winery) liquor license for James Arthur Vineyards, L.L.C. d/b/a James Arthur Vineyards located at 2001 West Raymond Road, Lancaster County, Nebraska. (R-06-0119)

<p style="text-align:center"><b>THOSE WISHING TO SPEAK ON ITEMS SPECIFIC TO TODAY'S AGENDA ARE ASKED TO DO SO WHEN THE ITEM IS CALLED BY THE COUNTY CLERK. EACH SPEAKER IS LIMITED TO FIVE (5) MINUTES.</b></p>
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5) **NEW BUSINESS CONTINUED:**

- B. A resolution concurring with the recommendation of the State of Nebraska, Department of Roads to award a bid to Dixon Construction Company, in the amount of \$287,677.04, for replacement of County Bridge A-136 located on Agnew Road between North 112<sup>th</sup> Street and North 134<sup>th</sup> Street; Federal Aid Project BR-3380(4), Waverly Northwest. (R-06-0122)
- C. A grant contract with Berniklau Educational Solutions Team (BEST) for the management of a Juvenile Day Reporting Center, in the amount of \$97,185. Term of the contract is July 1, 2006 to June 30, 2007. (C-06-0622)
- D. A grant contract with Lincoln Action Program to assist with the following programs: YouthACT Program, in the amount of \$21,150, and Project HIRE (Helping Improve Readiness for Employment), in the amount of \$24,711. Total amount of the grant contract is \$45,861. Term of the grant contract is July 1, 2006 through June 30, 2007. (C-06-0623)
- E. A grant contract with Lincoln Action Program for support for the HUB Project, a transitional services network for disconnected youth/young adults ages 16 to 21, as part of Lancaster County's Graduated Sanctions programming, in the amount of \$35,000. Term of the grant contract is July 1, 2006 through June 30, 2007. (C-06-0624)
- F. A contract between Lancaster County and Nebraska Machinery Company for the purchase of two Caterpillar motorgraders (Model 140H) for the County Engineering Department. Total amount of the purchase is \$365,000 including trade-in and a maintenance contract. (C-06-0625)
- G. An agreement between Lancaster County and Ronald Flansburg wherein Mr. Flansburg will pay the County \$42,938.40 by March 15, 2007, as a result of a computer error that caused overpayments to Mr. Flansburg. (C-06-0626)
- H. An agreement between the United States Postal Service (USPS) and Lancaster County for a license to lease and use a postage meter through Hasler, Inc.. The agreement is required by USPS. There will be no charge to the County for the first 12 months of the agreement. Thereafter, the monthly rental rate will be \$60 for a period of 48 months. (C-06-0627)
- I. A grant contract with Lincoln Council on Alcoholism and Drugs, Inc. for funding for the project management of the Gamblers Assistance Program Prevention Services Grant, in the amount of \$38,760. Term of the grant contract is July 1, 2006 through June 30, 2007. (C-06-0628)

5) **NEW BUSINESS CONTINUED:**

- J. Change Order No. 001 with Weathercraft Company of Lincoln, under County Contract C-06-0471, for the re-roofing of Trabert Hall, reducing the contract sum from \$179,777 to \$176,199. (C-06-0629)
- K. A grant contract with Child Guidance Center to provide funds for substance abuse evaluations for Lincoln Public School students referred from the School Community Intervention Program (SCIP), in the amount of \$25,000. Term of the grant contract is July 1, 2006 through June 30, 2007. (C-06-0630)
- L. A mini-grant application by the Lancaster County Sheriff's Office, and a mini-grant award from the Nebraska Office of Highway Safety for the purchase of six preliminary breath testing units. The cost to the Nebraska Office of Highway Safety is \$1,608. There is no cost to Lancaster County.
- M. Recommendation from the Purchasing Agent and the Lancaster County Engineer to award a bid for rock hauling to stockpiles as follows: (B-06-0042)

**Project 07-16H - Waverly Stockpile**

Husker Trucking (Hauler)	\$3.00/ton	\$16,050.00
Kerford Limestone (Producer)	\$9.00/ton	<u>\$48,150.00</u>
Total		\$64,200.00

**Project 07-17H - Emerald Maintenance Station Stockpile**

Husker Trucking (Hauler)	\$4.90/ton	\$34,300.00
Kerford Limestone (Producer)	\$9.00/ton	<u>\$63,000.00</u>
Total		\$97,300.00

**Project 07-18H - Raymond Maintenance Station Stockpile**

Husker Trucking (Hauler)	\$5.00/ton	\$21,500.00
Kerford Limestone (Producer)	\$9.00/ton	<u>\$38,700.00</u>
Total		\$60,200.00

**Project 07-19H - Southwest 12<sup>th</sup> and Saltillo Road**

Madlock Trucking (Hauler)	\$4.30/ton	\$14,190.00
Kerford Limestone (Producer)	\$9.00/ton	<u>\$29,700.00</u>
Total		\$43,890.00

**Project 07-20H - Southwest 98<sup>th</sup> Street and Saltillo Road Stockpile**

Husker Trucking (Hauler)	\$5.35/ton	\$16,050.00
Kerford Limestone (Producer)	\$9.00/ton	<u>\$27,000.00</u>
Total		\$43,050.00

5) **NEW BUSINESS CONTINUED:**

**Project 07-21H - Roca Stockpile**

Buel Trucking (Hauler)	\$4.23/ton	\$46,741.50
Kerford Limestone (Producer)	\$9.00/ton	<u>\$99,450.00</u>
Total		\$146,191.50

Total of hauling and production \$454,831.50

- N. Recommendation from the Purchasing Agent and the Chief Deputy County Sheriff to award an order for one 2007 Ford Explorer 4x4 Sport Utility Vehicle (SUV) from a State of Nebraska 2007 production year vehicle contract (Contract No. 11772OC), in the amount of \$24,197, to Anderson Ford with options as specified. (B-06-0043)
- O. Recommendation from the Purchasing Agent and the Administrator of Lancaster Manor to reject a bid from Medical Staffing Network for physical, occupational and speech therapy services for Lancaster Manor because minimum specifications were not met. (B-06-0044)
- P. Authorization of Wells Fargo Bank, as trustee, to disburse and make payment from the Lancaster County Limited Tax Building 2004 Construction Fund to the City of Lincoln, Information Services Department, in the amount of \$6,246.22, for a Proliant server for the County Assessor/Register of Deeds new system.
- Q. A request for refund of real property taxes for 2004 and 2005 from John A. Arnold III.
- R. A request for refund of real property taxes for 2004 and 2005 from Clinton Burge.
- S. A claim filed against Lancaster County by John Paul Arias for reimbursement of legal costs, in the amount of \$288.68.
- T. Reappointment of Bernie Heier to the District Energy Corporation Board of Directors for a two year term to expire December 31, 2008.

6) **CONSENT ITEMS:** *These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:*

A. Receive and Place on File:

1. Clerk of the District Court's Monthly Report for October, 2006.
2. Lancaster Manor's Monthly Report.

B. Setting of public hearings for Tuesday, December 5, 2007 at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding the following:

1. County Special Permit No. 06059, requested by U.S. Cellular Wireless Communications, for authority to construct a 199 foot tower for wireless facilities capable of accommodating at least four carriers, on property generally located approximately one-quarter mile north of the intersection of North 176<sup>th</sup> and "O" Streets, Lancaster County, Nebraska.

2. County Special Permit No. 06066, requested by Lyle Loth of ESP on behalf of Willard D. Giebenrath, for authority to operate sand, gravel and soil excavation on a 153 acre site located one-quarter mile east of North 56<sup>th</sup> Street/Highway 77 between Waverly and Mill Roads, Lancaster County, Nebraska.

C. Requests from the following Lancaster County employees to voluntarily participate in the County's retirement plan having met the requirements:

- ▶ Kimberly Benson, an employee in the Corrections Department
- ▶ Tyler Schmidt, an employee in the Sheriff's Office

7) **PENDING:** *Items currently on pending may be removed at the discretion of the Board and scheduled for action on a regular Board of Commissioners agenda following a two week notification period.*

8) **EMERGENCY ITEMS AND OTHER BUSINESS:**

9) **ANNOUNCEMENTS:**

A. The Lancaster County Board of Commissioners will not hold a Staff Meeting on Thursday, November 23, 2006. Instead the Staff Meeting will be held on Tuesday, November 21, 2006 beginning at 10:30 a.m. or immediately following the regular meeting of the Board of Commissioners in Room 113 on the first floor of the County-City Building.

9) **ANNOUNCEMENTS CONTINUED:**

B. The Lancaster County Board of Commissioners meeting which is broadcast live at 9:30 a.m. on Tuesdays will be rebroadcast tonight at 6:30 p.m. and again on Saturday afternoon on 5 City-TV, Cable Channel 5. In addition, this meeting may be viewed on the Internet 24 hours a day at <http://www.lancaster.ne.gov>. Click on 5 City-TV Video On Demand.

10) **ADJOURNMENT:**

This agenda, which is kept continually current, is available for inspection in the office of the County Clerk in Lancaster County, Nebraska.

**NOTE:** Interpreters for the hearing impaired are available at the meetings of the County Board upon request. Please contact the County Clerk's Office at 441-7481 at least 48 hours prior to the meeting if this accommodation is required, or if you have any other special communication needs requiring assistance. Telex Sound Masters are also available for audio enhancement during the meeting.

**IF YOU ARE HERE TO PARTICIPATE ON AN ITEM AND NEED SPECIAL CONSIDERATION BECAUSE OF A SCHEDULE CONFLICT OR SOME OTHER PROBLEM, PLEASE LET THE CLERK KNOW PRIOR TO THE MEETING SO WE MAY ACCOMMODATE YOUR NEEDS.**

The Board of Commissioners agenda and minutes may be accessed on the Internet at <http://www.lancaster.ne.gov> on the County Clerk's website.

**AGENDA  
LANCASTER COUNTY BOARD OF EQUALIZATION  
TUESDAY, NOVEMBER 21, 2006  
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112  
FIRST FLOOR, COUNTY-CITY BUILDING  
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS  
MEETING**

*Location Announcement of Nebraska Open Meetings Act: A copy of the Nebraska Open Meetings Act is located on the wall at the rear of the Hearing Room.*

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, November 14, 2006. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.lancaster.ne.gov>).

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- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 143 additions and deductions to the tax assessment rolls per Attachment "A".

- 3) **MOTOR VEHICLE TAX EXEMPTIONS:**

Alzheimer's Association  
Christian Heritage Children's Home  
Cristo Rey Catholic Church  
Goodwill Industries Serving Southeast Nebraska, Inc.  
Pius X High School

- 4) **APPEAL FILED ON VALUATION CHANGE:**

Daniel and Pamela Bentzinger

**IF YOU ARE HERE TO PARTICIPATE ON AN ITEM AND NEED SPECIAL CONSIDERATION BECAUSE OF A SCHEDULE CONFLICT OR SOME OTHER PROBLEM, PLEASE LET THE CLERK KNOW PRIOR TO THE MEETING SO WE MAY ACCOMMODATE YOUR NEEDS.**

5) **NOTICE OF ASSESSED VALUATION CHANGE FOR 2006 FOR THE FOLLOWING:**

R.C. Krueger Development Company - Parcel I.D. # 09-24-136-001-000  
Parcel I.D. # 09-24-312-007-000  
Parcel I.D. # 09-24-312-008-000  
Parcel I.D. # 09-24-312-009-000  
Parcel I.D. # 09-24-312-010-000  
Parcel I.D. # 09-24-318-001-000  
Parcel I.D. # 09-24-313-234-000  
Parcel I.D. # 09-24-313-044-000

6) **ADJOURNMENT:**